

INTERNATIONAL LABOR FORUM

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INTRODUCTION TO THE LABOR LAW OF YUCATAN

BY
M. C. ROLLAND

American artisans, producers, and laboring classes in general; in fact, all who in this country have no capital, but contribute towards production in the measure of their power of intellect or their muscular strength, should be made conversant with the fact that the Mexican Revolution is nothing but an economic transformation.

Our people were sunken in the most miserable condition of feudalism, deprived of their lands and all political and civil rights. We Mexicans had no security whatever assured us in our native land, where every one else had such guarantee, even the Chinese. The country was the desired Ideal Land where Capitalism could give free rein to its policy of exploitation and carry on its industrial enterprises for the benefit of foreigners; wages were ridiculously low; possession of land was obtained by false pretenses; brute force was employed to keep the laborers in subjection.

Under such conditions as these it is not difficult to understand why the largest textile factories of the world were installed in Mexico; or why none of them were allowed to belong to Mexicans.

The first attempt by the laboring classes to better their situation, which took place at the Rio Blanco, was washed out in their blood by Porfirio Diaz; the laborers were hunted down like wild beasts and slaughtered in their tracks as they tried to hide themselves in the beautiful mountain regions of their native land.

People of the United States: Our Revolution demands the righting of the wrongs and outrages that have been committed against us. The strife is waged against the great Trusts, against the reactionaries who organized for their own benefit the social conditions then existing in Mexico.

At the present time we are demonstrating to the world by the reforms and the reconstructive work which the Revolution is accomplishing that the Revolution was socially justified.

Facts are stubborn things. The Agrarian Problem is being dealt with in such a manner as to augment the prosperity of the people by the encouragement of the creation of small interests. In order to readjust matters satisfactorily in the cities it is necessary properly to settle the difficulties existing in the rural districts.

Take, for example, the Law of Replevin, actually in force in the State of Yucatan, which will illustrate the matter clearly. It shows that the working day of eight hours and the working week of forty-four hours are accomplished facts in Yucatan. The laborers have their special tribunals, and compulsory arbitration obliges the capitalists to let the laborers have a greater share in the profits derived from the product of their labor, which in former years the capitalists kept for themselves.

Again, when a union of workingmen deems that they ought to receive more wages, the matter is openly dis-

cussed, always with the principle in mind that the laborer needs better conditions and circumstances in which to live, for his social welfare, than he formerly had. He must be well fed, must be becomingly clothed, and have means and time sufficient to enable him to improve himself.

In order to prevent the deterioration of the race, children are not permitted to labor in sweatshops or workshops of any kind. Women must have assigned to them—at least to those of them that are nursing babies—a special room and sufficient time at intervals during the day to give necessary care to their young. When they are approaching parturition their employers must grant them eight weeks' liberty with pay, and their positions must be reserved for them in the meantime. Proper sanitary conditions must be established in all working places and any worker has a right by law to denounce any infringements or breaches of the laws committed by their employers. The Casualty Law is also an accomplished fact.

The Labor Problem is solved because the controlling agency (the special tribunals) will enable the working man and his employer to understand each other's conditions better and settle their differences without the necessity of recourse to strikes, which naturally are looked upon only as a last resort.

These are facts patent to all the world. Their significance is startling when we think that that mass of laborers, the greater part of them Indians, were but yesterday in complete and abject slavery, and that to-day they have already assimilated the legislation which the Revolution prepared and are rapidly adjusting themselves to the new mode of life, moving forward in no uncertain way towards the new horizon of well-being which we predicted for them.

In other parts of the Republic also, similar efforts have been pursued. Very soon the same law will apply to the centre of Mexico.

In Yucatan, greater improvements have perhaps been brought about because peace has been established there for a much longer time. Wherever the Revolution has had time to develop its program, there may be seen the results. These efforts of ours, these problems which vex us, are the same as yours, citizens of this Republic; the people of both nations are one in their most intimate, honest aspirations for the well-being and felicity of the masses, based on the welfare and happiness of the homes.

Consider our efforts and know that we are united against the privileged individuals who utilized the oppressive state of affairs created by them to make capital out of their fellow-men.

The emancipation of the laborer will be accomplished through the working classes themselves.

The Mexican Revolutionists are workers who are complying with the law of self-expression and self-betterment.

The great interests, the privileged classes, there as well as here, are antagonizing the Revolution because it will put an end to their nefarious work. Intervention means the destruction of the spiritual Idea; the brutal crushing of a holy aspiration.

Bread-winners of North America, do you realize that if you permit the destruction of the ideal which inspires your neighbors of the South you will inevitably be weakening your own cause also? Every noble breast and every heart that beats true should therefore recognize the duty of upholding the cause of the Constitutional movement in Mexico and of defeating the fatal policy of Intervention.

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THE LABOR LAW OF YUCATAN.

CHAPTER I.

GENERAL REGULATIONS.

ARTICLE 1. Labor is accomplished by free will. Consequently no authority, individual, or corporation may coerce the right which all persons have to dedicate themselves to the office or profession most convenient and agreeable to themselves, to serve in the place and under the employer that pleases them best, and therefore they have complete liberty to combine and to organize labor unions.

ARTICLE 2. For the general intents of this law, the word "employer" will be applied in reference to all individuals or persons who may be proprietors or directors of factories, workshops, industries, rural establishments or any other arrangements or enterprises whatsoever where human labor is utilized.

ARTICLE 3. Under the designation of "laborers" will be comprised all employees of commerce, operators, and apprentices who perform manual labor in any of the centres of activity to which the preceding article has reference.

ARTICLE 4. Unorganized laborers will not obtain the advantages which are conferred on organized workers with regard to the raising of wages.

ARTICLE 5. When laborers who do not belong to a union go on strike, their places may be taken by union laborers.

ARTICLE 6. In every workshop, industrial or mercantile establishment, at least one-half of the staff of employees must be Mexicans.

ARTICLE 7. Any establishment whatever in which there are more than two employees serving under an employer for the purpose of producing articles for sale, will be considered as a factory.

ARTICLE 8. By the term "labor contract" is understood every agreement whereby a person binds himself to work for another in virtue of a remuneration which is fixed according to the time for which said person shall be employed and the quantity and quality of the work to be performed.

ARTICLE 9. The labor contract shall be denominated "convenio industrial" when it binds a union or federation of laborers to their employers, organized or not, and shall only be drawn up for a fixed time or for a specified work. It is strictly and decisively prohibited to draw up temporary contracts to extend over a greater term than two years.

ARTICLE 10. The labor contract may be arranged verbally or in writing. In case of a verbal agreement, said contract must be in accord with the terms of this law and must also conform to the customs of the place in which

said contract is drawn up. In case of a written agreement, the lawful stipulations therein expressed as agreed upon between the contracting parties must be in conformity with what is prescribed by this law. Written contracts must be drawn up in duplicate and a copy shall remain in the possession of each party.

ARTICLE 11. The employers, when drawing up a "convenio industrial," may cause its stipulation to be applicable only to those workers who belong to the union or federation with which they may be contracting or to all of a definite class of laborers, or to all the laborers of a certain district of the State.

In their turn, the unions or federations of workers who agree to a "convenio industrial" are bound by said agreement only to the employers or to the union or federation of employers with which they have contracted, or to a certain definite class of employers, or to all the employers of a certain specified district of the State.

ARTICLE 12. In the wording of the written contracts and of the "convenios industriales," the following formulas shall be observed:

1. Determination, as precisely as possible, of the service agreed upon to be performed. In default of the same being expressly stated, it shall be understood that the work contracted for is the occupation at which the worker is customarily employed.

2. Specification as to whether the work is to be paid for by measurement of the work, by calculation of the time spent thereon, by day's work rate, or by completion in a fixed time.

3. Statement of the rate of remuneration agreed upon and the form in which said payment must be made.

4. The designation of the place where the work is to be performed. Unless said designation is stated, the laborer shall not be bound to perform said work agreed upon, if said place be at a distance of more than five kilometres from the place where the worker may be dwelling at the time of the contract. In addition, it must contain the special conditions agreed upon, and said special conditions must be subject to and in conformity with the obligations imposed by this law, although the same may not be mentioned therein.

The "convenios industriales" shall be registered in the books of registry of the Secretary of the Council of Conciliation.

ARTICLE 13. Agreements or stipulations such as the following shall be null and void:

1. Those which limit or prevent (to the detriment of whichever of the parties concerned) the exercising of their natural, civil, or political rights.

2. Those which mean for the laborer the impairment, the loss, or irrevocable sacrifice of his liberty.

3. Those which, by reason of the precariousness of the conditions of work, or of inexperience or lack of intelligence on the part of either of the contracting parties, may impose conditions that are in manifest discord with the importance or the value of the services agreed upon. In such case, the laborer shall be entitled to the same remuneration as that received by other workers who might have rendered similar services from the time in which they form part of a union.

ARTICLE 14. The "convenios industriales" must be made:

1. By the mutual consent of the unions of laborers and employers.

2. In agreement with the Councils of Conciliation.

The decisions of the Tribunal of Arbitration have the same force and effect as the "convenios industriales."

The "convenios industriales" and the decisions of the tribunal, in connection therewith made during the first year of the enforcement of this law, shall be valid for six months, and afterwards one year.

The "convenios industriales" contracted before the issuance of this law and which may not have any specified term, shall be held to be valid for six months calculated from the date of their making.

ARTICLE 15. The "convenios industriales" and the decisions of the Tribunal of Arbitration have the same power and remain in force even after the terms fixed by this law are ended, until new "convenios" or decisions be substituted, except when the registry of the union of workers is canceled.

These cancellations will be accepted only after the period fixed for the duration of the "convenio" in which they may be bound, shall have expired.

ARTICLE 16. Parties legally capable to sign a labor contract are those who are over seventeen years of age. Persons who may be less than seventeen years and over thirteen years require the permission of the persons who exercise paternal or maternal jurisdiction over them. In default of the aforementioned persons or their representatives to give authority, the President of the Municipality may sanction the same, or the Alcalde in places where Free Municipal Government exists.

In order to grant the authorization required by this law, the Municipal President or the Alcalde, on receiving application, verbal or written, shall fix a day and hour on which to meet the parties concerned and shall decide at the time of said hearing whether to grant or refuse the authorization solicited. If the decision is in the negative it may be submitted to the "Junta de Conciliacion" for revision.

ARTICLE 17. Laborers who have shown good conduct and rendered satisfactory service have the right to exact from their respective employers letters of recommendation certifying to said facts.

ARTICLE 18. In the industrial, commercial, or agricultural establishments, permanent fields of labor, and other such places, there shall be a table of Rules and Regulations giving in detail the bye-laws which the employers and employees must observe during their time of service.

This table of rules and regulations shall be kept in a place where it may be easily seen and read, and any workers who may desire may be permitted to make copies of the same.

This table of Rules shall be drawn up by mutual accord, and if there are any terms upon which both parties cannot agree, they must apply to the Board of Conciliation or the Tribunal of Arbitration regarding same.

ARTICLE 19. The last resort, the strike, must only be had recourse to in case of extreme need. The surest means of maintaining tranquillity and contentment among all the laborers are described and summarized in the labor laws herein and hereby decreed, and their fulfillment completely guaranteed through the "Councils of Conciliation" and the "Tribunal of Arbitration," which call for compulsory arbitration after specifying clearly what the worker needs in order to attain his welfare, whatever his social condition may be.

ARTICLE 20. Besides the "Councils of Conciliation" and the "Tribunal of Arbitration," which will enforce this law, the Department of Labor is also instituted and its functions shall be to elaborate the perfecting of this law; to supply information about industrial matters; to collect statistics; to study the problems of emigration and colonization; to manage the co-operative works undertaken by the Government of the State; to carry out the proper construction of dwellings for the laborers; to procure insurance against accidents and to take care that the companies that may be formed from time to time do not abusively exploit this public necessity; to adopt bye-laws and to superintend the "Mutual Insurance Society of the State."

ARTICLE 21. In order to form an "industrial union" that shall have corporate identity before the "Councils of Conciliation" and the "Tribunal of Arbitration," the following requirements must be observed:

With reference to employers:

Any anonymous society whatever of employers may be registered as an Industrial Union of Employers if said society consists of not less than three employers who have together more than three factories in the same industry or in similar industries. When they have fewer than three, some representative authority of the factory or factories that they have existing is sufficient. The employers are at liberty either to organize or to remain isolated.

With reference to laborers:

An industrial Union of Laborers cannot be formed by fewer than ten of the same industry and in the same "industrial district."

The syndicates of laborers that are actually formed may acquire the character of "unions" on the sole condition of registering themselves in the "Councils of Conciliation."

ARTICLE 22. The "Industrial Unions of Laborers" of one industry or of analogous industries may form an "Industrial Federation."

The "Unions and Federations" not registered or that may have cancelled their registration, lose their claims to recognition before the Councils of Conciliation and the Tribunal of Arbitration.

The registry which is kept in the Boards of Conciliation of the "convenios industriales" and other registrable acts is public, and consequently every person has the right to make himself acquainted with its contents.

ARTICLE 23. After registration a "Union" or "Federation" shall remit to the Boards of Conciliation a weekly report of its financial transactions.

The Boards of Conciliation and the Tribunal of Arbitration must send every kind of statistical data to the Department of Labor.

ARTICLE 24. All the acts necessary to comply with the provisions of this law are prescribed in the term of one year.

CHAPTER II.

SECTION 1.

OBLIGATORY ARBITRATION.

ARTICLE 25. In order to settle differences that may arise between the laborers and their employers, Councils of Conciliation are established and a Tribunal of Arbitration with the organization and functions expressed in this law. These Councils and the Tribunal for Compulsory Arbitration will undertake to enforce in all their extensiveness

the laws regulating labor, being endowed with complete liberty and ample executive power by this legislation. This organization, the Tribunal of Arbitration, in essence constitutes an independent power so that labor and capital may adjust their differences automatically, seeking always the form most just and fair to both parties concerned, without having recourse to strikes, which are always injurious to the interests of all.

ARTICLE 26. In order to take care of, inspect the workings, and fulfill the terms of, the Labor Law, the State shall be divided into five industrial districts. These Industrial Districts are:

Progreso, which consists of the District of Progreso.

Mérida, which includes the Districts of Maxcanú, Hunucumá, Izamal, and Sotuta.

Motul, which consists of Motul, Temax, and Tixkokob.

Espita, which includes Espita, Valladolid, and Tizimin.

Ticul, which consists of the Partidos of Ticul, Tejaz, Peto, and Acanaceh.

SECTION 2.

BOARDS OF CONCILIATION.

ARTICLE 27. In each industrial district there shall be a Board of Conciliation, whose object is to adjust the relations between employers and laborers, to settle differences and to enforce the fulfillment of the labor laws in compliance with the powers which this law confers.

ARTICLE 28. The "Councils of Conciliation" shall be formed in the district of Mérida by four proprietary members and four substitutes. Two proprietary members and two substitutes shall be elected by the employer, and two proprietary members and two substitutes by the laborers.

ARTICLE 29. In the other "industrial districts" the Councils shall consist of a representative of each party and their substitutes. The omission of an election in these cases will not prevent the Councils from being formed, as nomination by the Executive of the State may take the place of such election.

The members of the Council of Conciliation shall be changed every year, the elections to take place in the month of December, and the new members shall take office on the first of January.

ARTICLE 30. The internal ruling of the Councils of Conciliation shall establish the details of the meetings of the Councils and the forms of working which they will adopt, the duties and faculties of the inspectors and the employees in connection with the offices of these Boards, as well as the form of election which they will adopt.

The members of the "Board of Conciliation" shall receive a salary to be fixed and paid by the State.

ARTICLE 31. The "Councils of Conciliation" shall have, besides, a secretary in charge of the Registry and a clerk to aid them in the work of the office.

Dependent upon each "Board of Conciliation" there shall be a body of inspectors whose duty it shall be to enforce compliance with the laws of labor and the contracts made in conformity thereto. These inspectors must advise the Councils, in case of any and all disputes, and in normal times must provide information on the condition of the industry and of the laborers in general. They shall also serve as the source through which the Councils will receive claims and petitions and every kind of complaint from both laborers and employers, and they also shall make known to

the claimants, plaintiffs, and defendants the decisions of the Council.

ARTICLE 32. The Council is empowered to nominate the inspectors in its district.

ARTICLE 33. To commence with, two inspectors will now be appointed in Mérida and one in each of the other industrial districts. Afterwards, such as are considered necessary (in excess of these now appointed) to render efficient service, shall be appointed as conditions may dictate. These inspectors shall be required to illustrate and interpret to the laborers the spirit of this law, explaining to them the significance of the contracts and propaganda and the conveniences and advantages that lie in having all the laborers bound by written contract to their employers.

ARTICLE 35. When a complaint is lodged in the form indicated by the bye-law regarding a new agreement to be made or a violation of an existing agreement, the aggrieved party, on making his demand, shall name delegates not fewer than three in number; the inspector or the secretary who may receive the demand shall summon the other party, notifying him that he must name an equal number of delegates so that the Board of Conciliation thus constituted, may meet within a period of time not greater than five days from the day on which the grievance is presented, and commence to make a thorough investigation of the matter in question.

ARTICLE 36. The delegates named to appear before the Councils of Conciliation should be persons occupied in the same industry in which the conflict occurs, except in special cases which the Council may permit that it be otherwise.

ARTICLE 37. The unions or federations of employers, in like manner as those of the laborers, may revoke at any time whatever the delegate or delegates named by them to appear before the Councils of Conciliation and the Tribunal of Arbitration, substituting for said delegate or delegates another who may be deemed more suitable.

ARTICLE 38. When the Council is formed, consisting of delegates in conformity with Article 35, it shall proceed to make the investigations necessary and to examine the matter in question, within a period of time not in excess of fifteen days.

ARTICLE 39. If no satisfactory decision is arrived at, the Council shall forward the proceedings, at the expiration of the fifteen days specified, to the Tribunal of Arbitration, in which the same delegates named to appear before the Council of Conciliation will be recognized.

ARTICLE 40. It is the duty of the Council during the "period of Conciliation" to use its efforts to make the parties concerned arrive at an agreement, either provisional as an experiment, or final in the form of a "convenio industrial."

ARTICLE 41. If the Board of Conciliation agrees to recommend a provisional form of compromise, the same must be complied with by both parties for one month with all the conditions of a "convenio industrial," in order to determine the result in a practical manner, but both parties have the right to manifest their dissatisfaction during said month; otherwise, if none of the parties oppose the same form during this time, it becomes automatically binding to the same extent as a "convenio industrial."

In case any of the parties concerned do not approve of the tentative form of compromise, and are not satisfied, the ordinary course of proceedings in such cases shall be followed.

ARTICLE 42. Any employer can be summoned to appear before the Councils of Conciliation or before the Tribunal of Arbitration by a "union" or "federation" of laborers, registered as such; but the laborers may be summoned before the Councils by the employers only in case they registered voluntarily according to the law, forming an "industrial union of laborers."

SECTION 3.

TRIBUNALS OF ARBITRATION.

ARTICLE 43. A Tribunal of Arbitration shall be established in the Capital of the State, with the form and the powers assigned to it by law.

ARTICLE 44. The Tribunal of Arbitration has power to decide without there being any appeal from said decision, on all matters which may be presented before it; except in very extreme cases, where it may be found necessary to go very much beyond what is prescribed by the law.

ARTICLE 45. The "Tribunal of Arbitration" will be formed by three members:

1. A representative of the working people, elected by all the "unions" of the workers of the State.

2. A representative of the employers elected by all the unions and employers of the State.

3. A presiding judge, who shall be named by the Councils of Conciliation, whose members shall assemble in Mérida once a year for the last ten days of the month of December. If at said meeting a decision is not arrived at regarding this nomination, the Executive of the State shall designate a presiding judge.

ARTICLE 46. The members of the Tribunal of Arbitration shall remain in office for one year and may not be re-elected for office the year immediately following that during which they served.

ARTICLE 47. The delegates named by the industrial unions in each dispute before the Council of Conciliation shall have representative capacity before the Tribunal of Arbitration also, when the conflict is referred to this Tribunal.

These delegates are obliged to inform the Tribunal regarding all matters that may be to the interests of said Tribunal to know, in order to facilitate their efforts for the solution of the difficulty. They shall have the right to produce the proofs which they may possess and to assist in all the investigations and debates and discussions, with power to take part in them as well as to be present at the voting of the members of the Tribunal, which in every case must be by word of mouth.

ARTICLE 48. In order to be able to settle the disagreements that will be presented before it, the Tribunal of Arbitration shall possess the most ample authority; it shall hear the testimony of witnesses and compel such persons as may have knowledge of the case in question, to testify under penalty of fine if they refuse to do so; shall have free access to all the establishments, factories, boats, and other places connected with the operations of an industry, or where any kind of work is carried on, or where anything is done or made, or may have been made or done that may have caused a complaint to be brought before the "Council of Conciliation" or the "Tribunal of Arbitration." Said Tribunal may also command that the books, documents, papers and correspondence which the parties may retain or of which they may possess evidence, be submitted before the said Tribunal in evidence.

ARTICLE 49. The decisions of the Tribunal shall be by majority of votes, and in them shall be set forth to what industry or what similar industries said judgments are applicable, and also whether said decisions are applicable to only one "industrial district" or to the entire State.

ARTICLE 50. The time that elapses from the receipt by the Tribunal of Arbitration of the appeal passed on to them from the "Councils of Conciliation" until the delivery of their final judgment, shall not, in any case, be more than thirty days.

ARTICLE 51. In calculating the periods of time specified and fixed in this chapter, Sundays and days of national holidays and feasts, shall not be included.

ARTICLE 52. If, during the sessions of the Tribunal of Arbitration, the delegates declare that they have arrived at a decision solving the question at issue and settling the dispute, the Tribunal shall declare the proceedings closed and the matter settled, and shall grant to the agreement reached the force and value of a "convenio industrial."

ARTICLE 53. The judgments of the Tribunal of Arbitration dictated with the binding force and value of a "convenio industrial," are applicable to and binding on the employers and the industrial unions that may just be about to commence their labors, or that may be organized while a decision is pending, except in cases in which the decisions may have been expressly limited to one "industrial district," separate and apart from that in which the new employers and "industrial unions" may happen to be operating.

CHAPTER III.

DUTIES AND OBLIGATIONS OF EMPLOYERS AND WORKMEN.

ARTICLE 54. The employer and the laborer must maintain reciprocally equal respect and consideration the one for the other.

ARTICLE 55. The employer is bound by law as follows:

1. Not to differentiate among the workers by reason of nationality, whether in regard to salary, or to conditions of living during the time of their service, or to the treatment and consideration due to every worker.

2. To provide for the worker all utensils, instruments and materials necessary for the proper performance of the work agreed upon.

3. To observe towards, and to make observed by, the laborer, good manners during the time of his service.

ARTICLE 56. The employer must take care that the tools and implements of work belonging to the laborer are preserved in good condition, so long as said articles remain on the premises in which the services are being rendered, without its being legal, in any case, for the employer to detain said articles for indemnification, guaranty, or security, or any other purpose.

ARTICLE 57. The employer is bound to pay the wages corresponding to the time lost by a laborer, who, being present in the workshop or other place of labor, employed to do piece work, task work, or to work jointly with other laborers, is unable to perform his work through any fault of the employer.

ARTICLE 58. The laborers who may have been transported from their homes to a distance greater than five kilometres in order to render service for their employer, must be transported back to their residences at the conclusion of their time of service, at the expense of their employer, should said workers so demand.

ARTICLE 59. The laborer is bound:

1. To submit to the authority and direction of the em-

ployer or his representatives in all matters pertaining to the object of the work.

2. To render service with the proper intensity, carefulness, and attention due.

3. To comply with the rules specified in the table of regulations of the workshop and industry.

4. To abstain from any and everything that would tend to endanger his own safety, that of his companions in labor, or the safety of third parties, such as persons in the buildings, workshops, or place in which said laborer's work is being performed.

5. To observe good manners towards all parties during the time of the contract.

6. To restore to the employer all unused material, and to return in good condition the instruments and utensils that may have been entrusted to said workers; not being responsible for deterioration due to the normal use of said articles nor for that caused by accident or by circumstances beyond human control, such as war, pestilence, or the elements.

7. To work, in cases of imminent peril, or of unforeseen circumstances of superior force, such as war, pestilence, the fury of the elements, etc., for a time in excess of that which is designated as constituting the legal day, and to receive for such services a corresponding increase of remuneration.

8. To reimburse the employer for the damages and losses which, by abandonment, qualified carelessness or negligence, or by disobedience of orders, may be occasioned to said employer through acts or omissions on the part of the workers, such as may have been overlooked when the table of rules and regulations of the workshop in question was drawn up and which therefore may not have been dealt with or mentioned specifically in the same.

ARTICLE 60. The laborer is not responsible for imperfections in the work produced, if said imperfections are due to the bad quality of the materials used or to defective instruments supplied to him by the employer. Neither can said laborer be held responsible for the imperfections discovered in products, even if said imperfections were due to the fault of said worker, once said products or articles of manufacture have been accepted by the employer.

ARTICLE 61. The laborer must render in person the work which he is employed to perform, but he may engage a substitute when so authorized by the contract or by custom, or when the employer does not expressly oppose the substitution.

The substitute takes the place entirely of the one he is representing, having direct rights and obligations toward the employer and vice versa.

The substitute shall not have any responsibility for the selection made by the party for whom he is substituting.

ARTICLE 62. The laborer must guard faithfully and assiduously the secrets regarding the manufacture of the products in whose production said worker contributes directly or indirectly. The revelation of these secrets shall make the laborer liable for damages and for the losses that may thereby be occasioned, apart from the penalties that said worker may thereby incur.

ARTICLE 63. The labor contract is terminated:

1. By such causes as are expressly stipulated in the contract.

2. By the death of the laborer.

3. By the conclusion of the work for which the contract was made.

4. By circumstances due to superior force (war, epidemics, or the fury of the elements).

5. By mutual consent.

6. By the employer having to dismiss the laborer for justifiable cause.

7. By the laborer's voluntary withdrawal.

ARTICLE 64. The "convenios industriales" are terminated by the causes set forth in Sections 3, 4 and 5, of the preceding article.

ARTICLE 65. The following will be considered as circumstances due to "superior force": Fire, explosions, earthquake, epidemics and pestilence, and other similar occurrences which are totally foreign to the will of the employer and which may necessitate the suspension of work for more than thirty days.

ARTICLE 66. The employer may not dismiss the laborer nor may the latter retire from rendering service before the expiration of the agreed or legal time of the contract or the "convenio industrial," or from the conclusion of the work without justifiable motive.

ARTICLE 67. Justifiable causes for which the employer may dismiss the laborer are the following:

1. If the laborer is discovered to have deceived the employer at the time of his engagement by tendering false certificates or forged references, or if the laborer represents his capacity, ability, aptitude or other faculties as being greater than what he possesses in reality.

2. If the worker is found lacking in probity, in good conduct, or is found to inflict injuries or illtreatment on his employer or the relatives, wife, or children of the same, or against his chiefs or companions in labor.

3. If the laborer deliberately does material damage, during the time of his service, to the buildings, works, machinery, instruments of labor, raw materials, and other articles related to the work, or if on his account any of the same suffer damage.

4. If the laborer commits immoral acts in the workshop, establishment, or place of labor during the fulfillment of the contract.

5. If the laborer publishes or reveals any of the secrets regarding the manufacture of the commodity.

6. If the worker compromises, by any act of gross carelessness, the security of the workshop or the establishment or the persons therein located.

7. If the worker is found more than five times in thirty consecutive days guilty of avoidable lack of punctuality, or of absence from work, disobedience to the directing personnel of the workshop or infractions of the rules of the same.

8. If the worker presents himself at the working place while under the influence of strong drink.

ARTICLE 68. Justifiable causes for which the laborer may resign are the following:

1. If the laborer finds that the employer is dishonest or is cruel to the laborer, or has knowledge of, or gives consent to, the infliction of cruel treatment on the worker by anyone under his charge, or against the wife, children or older relatives of said laborer.

2. If the laborer suffers material injuries deliberately due to the employer, while carrying out the terms of the contract, or on account thereof in things pertaining to the worker or that may be entrusted to his care.

3. If the employer performs immoral acts in the workshop or place of work, during the time of the contract.

4. If the laborer finds that he is in any moral danger or any members of his family who may happen to be in the place where the service is rendered or who live at said place; said moral danger being due to acts or suggestions of the employer.

5. If the laborer finds that his personal safety or his health are endangered by lack of proper hygienic conditions in the workshop or working place, when neither depends directly on the nature of the work contracted to be done.

6. The supervision of illness which may prevent the laborer from working for more than thirty days.

ARTICLE 69. Further, for the woman who is employed and dwells in the home of the employer, it will be sufficiently justifiable cause for her to withdraw from service in said residence if the wife of her employer dies; likewise the death or retirement of any other woman who may have in her care the management of the house. As also the lactation of her child; should she give birth to a child during said service, if said lactation be incompatible with the work she may have to do in the household.

ARTICLE 70. The employer who dismisses a laborer or laborers, or the laborers who retire from service on account of any of the motives considered by law as justifiable, do not incur any responsibility by so doing.

CHAPTER IV.

MAXIMUM DAY.

ARTICLE 71. The maximum day of ordinary labor in the field must not be more than eight hours daily, and forty-four per week, with half a day of rest.

Masons, carpenters, smiths, etc., eight hours daily and forty-four per week. In the public and private office eight and a half hours daily, excepting one day in the week, differing in the divers kinds of shops whose day will comprise ten hours, with a total at the end of the week of forty-eight working hours.

In restaurants, hotels, and cafés, eight and a half hours daily and fifty-one for a week of seven days, with one day of rest.

The industrial workers that have not been herein named shall have their hours fixed before the Councils of Conciliation.

Extra work may not exceed in any case more time than one-fourth of the ordinary working day, except in circumstances due to "superior force."

ARTICLE 72. The day commences at the moment when the laborer starts to work in the establishment or place in which he must labor, and ends when the time expires that is specified there.

Neither the time that the laborer spends for meals nor that assigned to rest will be calculated in the day.

ARTICLE 73. All the laborers are entitled to half a day's rest in a week of six days, and regarding this they may come to an agreement with their employers through the Councils of Conciliation in each district. The half-holidays of each week may be allowed to accumulate in the factories, offices, etc., during three months, and then the employees will be entitled to a week of vacation.

The day's work must not be continuous, but the laborer must have some rest during its course, say about an hour and a half, but no more.

CHAPTER V.

WOMEN AND CHILDREN.

ARTICLE 74. It is forbidden for boys less than thirteen years and girls less than fifteen to work in factories or any other establishment.

ARTICLE 75. Boys younger than fifteen years and girls of less than eighteen years must not work at night, nor may they be employed in any labors that would endanger their health or their morals.

ARTICLE 76. The stipulation made regarding night work contained in the preceding article does not refer to women (adults) who are domestic servants or occupied in the care of the sick, or enterprises of public amusement, such as theatrical work.

ARTICLE 77. Males of less than fifteen years and females of less than eighteen may not be employed in the manufacture of products that contain anything that may be injurious to the health, nor may they be employed in places that are dangerous.

ARTICLE 78. It is forbidden to utilize the labor of children less than fifteen years of age in theatres, whether in representations or in works of utility.

ARTICLE 79. It is forbidden for women to work thirty days before parturition and during the thirty days following, but they must receive their complete salary during this time and their positions must be reserved for them.

ARTICLE 80. In establishments where women are employed there must be a special floor in a state of perfect sanitation, in which women may give nourishment to their babies—fifteen minutes every two hours—without said intervals of time being deducted from the time allotted for rest.

ARTICLE 81. The industrial managers, the merchants or their representatives who employ minors to which this law refers, shall be obliged to keep a register in which shall be set down their Christian names and surnames, the place and date of their birth, their residence, and the names, surnames, profession, and place of residence of their parents or guardians and instructors. These data shall be communicated to the "Councils of Conciliation," who will verify same by means of their inspectors.

ARTICLE 82. The local municipal authority may order at any time a medical examination for minors occupied in any industrial or commercial establishment, and the withdrawal of such whose health or normal development may be prejudiced by the class of work in which they may be engaged.

CHAPTER VI.

SALARIES.

ARTICLE 83. It is ordained that no salary shall be less than two pesos daily, whatever may be the occupation or the place of work. In the case of apprentices, the salary shall in no case be less than one peso; for domestic servants of whatever condition or sex, the minimum salary shall in no case be less than fifty centavos daily, and such servants shall be entitled to receive good food, lodging, and treatment.

ARTICLE 84. The minimum salary in each locality and in each industry shall be fixed by the Boards of Conciliation or by the Tribunal of Arbitration. The criterion for this minimum salary shall be determined by the needs of an individual of medium productive capacity to enable him to live with his family and enjoy certain commodities in

food, housing, and clothing suited to his social condition, and to engage in the social relations which a man needs in order to improve his mind.

The minimum salary fixed by the Board of Conciliation shall run for the same length of time as the "convenios industriales."

ARTICLE 85. The investigation of what should be necessary to enable the workingman to live in such state of well-being, defined in the previous article, shall take place in accordance with the regulations stipulated by the Boards of Conciliation in the light of public opinion and weighing all the considerations that the most exacting sense of justice may bring forward.

It shall always be borne in mind that it is not a question of salary, simply to maintain the actual position of the workingman, but rather the necessity of raising him to a condition superior to that under which he has hitherto lived.

ARTICLE 86. The rising scale of wages of the apprentices shall be fixed by the Boards of Conciliation and on the initiative of the inspectors.

ARTICLE 87. Salaries shall neither be given nor withheld save in accordance with the stipulations of Article 91.

They are privileged and preferred in payment, the same as in cases of indemnification for accidents.

ARTICLE 88. The payment of salaries shall take place weekly. Every payment that is not in cash shall be considered worthless. The payment of salaries in kind shall be prohibited, save in the case of employees of these establishments.

ARTICLE 89. Extra work shall be paid for in proportion to the daily wage earned by the hour, with 50% added if the extra work is done during the day and 100% if said work is done at night.

ARTICLE 90. No deductions shall be made from wages to make payment of insurance against accidents while at work, in case institutions of this nature are ultimately established.

ARTICLE 91. In conformity with the terms of Articles 122, 124 and 130, the laborers may be fined individually in sums up to fifty pesos, and in order to enforce the payment of such fines, the Tribunal shall order the employers to retain from the laborers fined, a part of their salary every week, up to about ten per cent. of said salary, but provided that the amount that the laborer would receive after this ten per cent. has been deducted, does not fall below the minimum salary absolutely fixed by law.

CHAPTER VII.

HYGIENIC AND SAFETY REGULATIONS.

ARTICLE 92. The sanitary state of the factories and workshops shall be subjected to the following regulations:

1. They must be kept in a perfect state of cleanliness.
2. They must be so constructed that all effluvia arising from sink-holes, water-closets, sewers, and whatever other sources that might be disgusting and unwholesome, may be minimized.
3. They must be ventilated in such a manner as to render inoffensive as much as possible, gases, vapors, dust, and other impurities produced in the course of the industrial or manual work and which may be dangerous to the health of the workers.
4. During working hours a greater number of persons must not be crowded together than what, taking into con-

sideration the capacity of respirable air, may remain together without detriment to each other's health.

5. Any other rules whatever that the sanitary authorities may specify.

ARTICLE 93. A certain specified time shall be granted by the proper authorities for the accomplishment of changes or repairs, or the adoption of new measures to safeguard the health of the workers, or for their moral betterment; and if, at the expiration of said time said changes have not been made, the omission shall be considered an infringement on the law, unless the reforms planned are in direct contravention to the text of the law.

ARTICLE 94. Unless expressly stipulated to the contrary, it is estimated that the quantity of air required for the salubrity of the rooms of the factory or workshop is ten (10) cubic metres per head at the very least.

ARTICLE 95. In all the factories or workshops there shall be placed a notice specifying the number of persons that may be employed in each department, and their respective tables of regulations may be arranged in conformity with this law.

ARTICLE 96. Factories and workshops must be provided with adequate and sufficient sanitary installations, with separate quarters for each sex, if the staff consists of male and female workers.

ARTICLE 97. The work-room shall be conveniently lighted so as not to endanger the eyesight of the workers.

ARTICLE 98. There shall be at the disposal of everyone throughout the factory, a quantity of filtered water sufficient for their needs.

ARTICLE 99. It is forbidden for alcoholic liquors to be brought into workshops and dependencies.

ARTICLE 100. When the nature of the work is such that it is necessary for the workers to change their clothing before entering and after leaving the work-room, there shall be set apart for the workers of each sex, a room, distinct from those in which work is performed, with sufficient washing accommodations and baths.

ARTICLE 101. The "Junta de Sanidad del Estado" (The Board of Health of the State) in harmony with the Labor Department, shall draw up within the space of six months, the sanitary rules which must be observed in every kind of factory or establishment in which work is carried on.

ARTICLE 102. For reasons of safety:

All elevators, windlasses, fly-wheels directly connected with a steam, oil, gas or other motor must be protected.

All dangerous parts of machinery and the apparatus for transmission must be protected or disposed of or constructed in such forms and ways that they may be rendered absolutely safe for all persons who work in the factory.

Every boiler of a motor employed for the generation of motive power must be provided with a safety-valve, a manometre and a water-mark in order to indicate the pressure of the steam and the height of the water in the boiler.

ARTICLE 103. In every place of work the doors must open towards the outside. During the time that the workers remain in the place, these outer doors and those of the corridors with exits must be kept free of every obstruction and unlocked and unlatched.

Necessary equipment for the extinction of fires must also be installed in the buildings.

CHAPTER VIII.

ACCIDENTS DURING WORK.

ARTICLE 104. According to the present law, by "accident" shall be understood every bodily injury or hurt which the worker suffers occasioned by, or as a consequence of, the work he performs for some one else.

ARTICLE 105. The employer is responsible for the accidents that may happen to his laborers caused by and occurring during the performance of the profession, trade, or work which they fulfill, unless the accident be due to "superior force" outside of the actual work in which the accident occurs.

ARTICLE 106. The industries or departments of labor which place such responsibility on the employer are:

1. Metallurgical factories and workshops and those in connection with land or naval construction.

2. Mines, saltworks, and quarries.

3. Factories and workshops where use is made of any power other than that of man.

4. Construction, reparation, and conservation of buildings, comprising masonry and all its annexes; carpentry, locksmiths' and forge work, stone cutting, painting, etc.

5. The establishments where explosives or inflammable materials are manufactured, or where unwholesome or poisonous substances are industrially employed.

6. The construction, reparation, and conservation of harbors, railroads, roads, canals, dykes, aqueducts, underground sewers, and other similar works.

7. Agricultural and forestation industries and undertakings.

8. Transportation and cartage by land, ocean and local navigation.

9. Works of street cleaning and cleansing wells and sewers.

10. Deposit warehouses and store houses for great quantities of coal, stacks of firewood and lumber for building purposes.

11. Theatres, with respect to their salaried personnel.

12. The fire department forces.

13. Establishments for the production of gas or electricity, and the installation or keeping in order of telephone systems.

14. All work in connection with placing, repairing, and removing electric and lightning conductors.

ARTICLE 107. The workers shall be entitled to indemnification for accidents that may occur to them while employed as set forth in the second section of the preceding article, which may render them either partially or wholly incapacitated for work, temporarily or permanently, in the form and amount established by the following regulations:

1. If the accident causes temporary inability, the employer shall assign to the victim an allowance equal to the salary he used to earn, from the day on which the accident took place until such time as he shall be in fit condition to resume work.

If, at the expiration of six months from the date of the accident the worker is still unable to resume work, the allowance shall be such as set forth in the regulations relative to permanent incapacity.

2. If the accident causes permanent and absolute incapacity for any kind of work, the employer must provide the laborer with an allowance equal to two years' salary; but the allowance shall be equal to eighteen months' salary

only, if the injury to the laborer is such that he will be permanently incapacitated for the work which he regularly performed, but which would not prevent him from devoting himself to some other kind of work.

3. If the accident shall have caused partial incapacity, although permanent with respect to the profession or the class of work to which the victim had been devoted, the employer shall remain under obligation to assign to the worker, with equal remuneration, other labor compatible with his state or to settle on the basis of an indemnification equivalent to one year's salary, as the employer may prefer.

The employer is also bound to provide medical and pharmaceutical assistance to the laborer until he is in fit condition to return to work, or until he is pronounced by capable medical advice, to be in the condition such as stated in Sections 2 and 3 of this article and does not require medical and pharmaceutical assistance, which shall be given under the direction of medical practitioners assigned by the employer.

Indemnification for permanent incapacity to work brought about by injury sustained during work, such as defined in the Sections 2 and 3, shall be independent of those determined in Section 1 in a case of temporary inability.

ARTICLE 108. If the accident causes the death of the laborer the employer is bound to defray the burial expenses, said expenses to the employer not to exceed fifty pesos Mexican gold; and, in addition, the employer shall make an allowance to the widow, legitimate descendants under sixteen years of age, and relatives in the form and amount which the following regulations establish:

1. A sum equal to two years' salary that the victim would have earned, which shall be paid to the widow, descendants, or relatives, as the case may be.

The allowances that became due in case of death do not include those which were paid to the victim during the space of time that elapsed between the date of the accident and his death.

2. The allowances fixed by this law shall be increased by one-half their amount when the accident occurs in a building, in the course of any work, the machinery or implements of which lacked the precautionary and protective equipment to which reference is made in Articles 102, 109 and 112.

ARTICLE 109. A Council of Technicalities in charge of the investigation and study of mechanical appliances invented up to the present time for the prevention of labor accidents, shall be organized. This Board shall consist of three engineers and an architect.

Services rendered by members of the Board of Technicalities shall be gratuitous.

ARTICLE 110. The Board to which reference is made in the previous article shall publish a catalogue of mechanical appliances for preventing accidents to laborers on account of their work, and shall submit said publication to the Labor Department at the end of four months.

ARTICLE 111. The Government, in accord with the Board of Technicalities, shall establish under the by-laws and in accordance with the terms dictated, what mechanical appliances must be adjusted to the machinery in use so as to protect the laborer and to prevent accidents, as well as all other conditions of safety and sanitation indispensable to each industry.

ARTICLE 112. The Board of Technicalities shall form an experimental department, in which shall be kept the models of mechanical contrivances planned for the prevention of industrial accidents, and in which the new mechanism shall be tested, and this office shall include in the catalogue those devices which it recommends for practical use.

ARTICLE 113. The proprietor of the industrial establishments comprised in Article 106 may authorize life pensions to be paid to the sufferer instead of the allowances fixed in Article 108, provided that said pensions are guaranteed to the satisfaction of the victims, with the approval of the Department of Labor, such pensions to be made in the following form or sum:

1. A sum of money equal to 20% of the annual salary earned by the victim, which shall be payable to the widow or the descendants under fifteen years by legal means, and, in default of one or the other, to the parents or older surviving relatives of the deceased, except in cases where the Tribunal of Arbitration may judge that the latter do not need said sum.

These pensions shall cease, in the case of the widow, when she remarries, or if she should go to live in concubinage or should become a prostitute; and in the case of children or grandchildren, on their attaining the age of fifteen years.

ARTICLE 114. Employers may substitute for their obligations of indemnification the insurance at their own expense that they may have made on the laborer in question, against the risks which the laborer takes and to which reference has been made in each one of these articles, or those in a duly constituted association accepted for this purpose by the Labor Department; but always on condition that the amount which the laborer may receive therefrom shall not be less than the maintenance apportioned to him by the terms of this law.

ARTICLE 115. The precepts of this law are equally binding on the State and on the Municipalities when they are the employers.

ARTICLE 116. The claims regarding accidents shall be adjusted before the Councils of Conciliation and the Tribunal of Arbitration and the parties interested may appear before them in person.

ARTICLE 117. The responsibilities laid on employers by this decree do not in any way liberate said employers from those to which they may be liable according to the rulings of the penal code, and what may be demanded of them by either of the tribunals or both.

ARTICLE 118. Any renunciation of the rights to which parties are entitled in accordance with the terms of this decree; and, in general, any agreement made contrary to these regulations, shall be null and void.

ARTICLE 119. The Government shall dictate within three months the by-laws and conditions necessary for the fulfillment of this law, relating to this chapter.

CHAPTER IX.

STRIKES.

ARTICLE 120. The "strike," the cessation from work by the laborers, is the act of whatever number of laborers who, being or having been in the employ of the same employer or of various employers, leave said employ entirely or partially, or break their contract or refuse to renew it or to return to their work, said discontinuance, refusal, resistance or breaking of a combination, agreement, or

common understanding, whether expressed or implied, made or initiated by the laborers with intent to compel the employer to agree to the exigencies of the employees or to comply with whatever demand or demands the laborers may make, or with the intent of causing losses to the employer, or to inspire, aid, or encourage another strike, or with the intent of helping the employees of some other employer.

The stoppage of work on the part of the employers is defined in the same way, inverting the terms in the definition made above.

ARTICLE 121. The party who, in order to form, maintain, or prevent strikes, uses violence or threats and assaults, will be punished (apart from the fine which the Tribunal of Arbitration can inflict on him) with arrest by the police authorities.

ARTICLE 122. Every laborer who takes part in a strike, and who is included in a "convenio industrial," shall be punished with a fine not to exceed \$50.00.

ARTICLE 123. Every builder or master workman who takes part in a strike of employers, who is party to a "convenio industrial," shall be punished with a fine not in excess of \$500.00.

ARTICLE 124. He who institutes, aids, or encourages in any manner whatever, an illegal strike or its continuation: If a laborer, shall be punished with a fine of \$50.00;

If a union or federation of laborers, the same shall be punished with a fine from \$200.00 to \$1,000.00;

If an employer or any other person not a laborer, said party shall be punished with a fine of from \$200.00 to \$1,000.00.

The following shall be considered as help or encouragement: A gift of money or of anything of value, given for the benefit of a group or union who are taking part in a strike.

ARTICLE 125. The employers punished with fines imposed by the Tribunal of Arbitration, must pay said fine immediately, and when the laborers are fined they shall have the option to pay in cash with a discount of 10%.

ARTICLE 126. When the laborers who do not form an "industrial union" are in dispute with their employers, the difference shall be explained in the Department of Labor, a dependency of the Ministry of the Interior.

ARTICLE 127. The delegates of both parties, in number not more than three for each party, shall meet before the Labor Department, and they will consult with the employees named by the Department for the investigation of the case. The "Junta de Trabajo" (Labor Council) thus formed shall have functions similar to those of the "Councils of Conciliation," with the same times and terms of formation and for investigations.

ARTICLE 128. If in the "Junta de Trabajo" (Labor Council) no arrangement can be arrived at between the laborers and the employers, a private vote shall be taken among all the laborers concerned to determine whether they shall go on strike; the vote shall be taken by the Council of Conciliation which has jurisdiction in the locality of the dispute.

The result of this voting shall be made known publicly.

In the space of seven days after the result has been published, the workers can go on strike when the result of the voting has been favorable by a majority of seventy out of a hundred.

ARTICLE 129. When a decision and agreement satisfactory to both parties is reached before the Junta de Trabajo formed in the Department of Labor, the same may be registered in the form of a "convenio industrial," provided that the laborers concerned belong to a union and register it.

CHAPTER X.

PENALTIES.

ARTICLE 130. The violations of the terms of a "convenio industrial," or of a decision of the Tribunal of Arbitration shall be punishable as follows: When it refers to a "union" or "association of employers," with a fine which may not exceed a thousand pesos for each "union" and for each violation; when it refers to a laborer, with a fine not greater than fifty pesos per person for each violation.

ARTICLE 131. Every infraction of the present law which may not have a special penalty attached to it shall be punishable by the same penalties.

ARTICLE 132. Every fine shall be imposed and enforced by the Tribunal of Arbitration and shall pass into the General Treasury of the State.

ARTICLE 133. All persons, "unions," or federations fined, may plead for reconsideration before the same tribunal, three months after their decision imposing the fine.

ARTICLE 134. Public action is permitted to denounce disobedience of this law, and said Tribunal of Arbitration is empowered to impose the fines in such cases.

CHAPTER XI.

STATE MUTUAL BENEFIT SOCIETY.

ARTICLE 135. The State will organize a Mutual Benefit Society for the workers, by virtue of which every laborer

who deposits a few cents from his wages will be able to provide against old age and, in case of death, his kindred will not be left in want and misery.

ARTICLE 136. This Society will help all the laborers of the State, constituting thus the most practical and beneficial insurance institution that can be conceived.

ARTICLE 137. The Labor Department shall dictate the by-laws which will regulate the organizing and operation of this Society.

SUPPLEMENTARY.

FIRST: Decree Number Fifty-Nine (59) issued by this Government under date of May fourteenth of this year, creating the Council of Conciliation and Tribunal of Arbitration, is hereby repealed.

SECOND: As soon as the laws contained in this decree are issued, the Executive of the State shall call a convention for the first elections of members of the Boards of Conciliation and the Tribunal of Arbitration; but whatever may be the date on which the Boards and the Tribunal are constituted, the first period of their operation and functioning shall terminate on the last day of the month of December, one thousand nine hundred and sixteen, so that the following ones may commence their operations on the first day of January of each year.

THIRD: This Decree shall be published by solemn proclamation throughout the State.

CONSTITUTION AND REFORMS.

Mérida, 11th December, 1915.

The Governor and Military Commander-in-Chief of the State.

S. ALVARADO.

The Secretary-General of the Interior.

RAFAEL AGUIRRE C.

APPEAL TO U. S. WORKERS

To the Workers of the United States:

We, laborers of Mexico, moved by exceptional circumstances, appeal to you in the interests of solidarity.

On the Border, which, politically, separates our land from yours, there are at this very moment two armies, face to face, awaiting the signal to throw themselves into a war that, no matter which side wins, would nevertheless cause great evils, both moral and material, to both of our countries, crushing at the same time the principles of a social revolution that has no precedent in history, and which, precisely for that reason, has secured the sympathy of every progressive man in the world.

Before a catastrophe of that kind should sadden the homes of the toilers of both nations, we, moved by true and just aims of international solidarity, with our minds free of shameful prejudices, fearing lest the plans of our saving Revolution should be destroyed by our foes, come to you, our brothers of this hemisphere, to beg from you the necessary support to raise a formidable agitation against imperialism, agitation against a war between two brother countries, the consequences of which we, the workers on both sides of the frontier, alone would suffer; because the

instigators, the jingoes, those of the holy alliance—composed of exiled Mexicans, reactionaries, land owners, Wall Street grafters, and Clerical magnates—would remain in their homes, quietly awaiting the moment for the distribution of the booty.

In the yellow press of your country, in the lectures and meetings of monopolists and Clericals, Mexico is pictured as an uncivilized region, in the hands of a lot of bandits with no other flag or ideals than those of loot and destruction; and based on this the justification of an imperialist policy, advocated by some Americans who do not have any more resemblance to you, the workers of America, than people of another nationality; for they, like the rich of every part of the earth, are only after personal gain, by fair means or by foul. We, conscious of our rights and duties, toilers properly organized for the struggle of classes, are anxious to tell you the entire truth about the so-called "Mexican Case."

Listen, Workers of the United States!

Until the day on which our social revolution broke out, Mexico was, despite its wonderful resources, a land of desolation and misery for the real producer, for the prole-

tarians, because, sheltered by the Government—represented first by Porfirio Diaz, the Dictator, generally known as the Czar of the Americas, and later by Victoriano Huerta—ignorance, religious intolerance, alcoholism, and proletarian slavery in its most terrible form dominated the land.

At the "haciendas" (farms), faithfully described by Turner in his famous book, "Barbarous Mexico," the Indian laborer worked from morning till night, hungry, barefooted, and ragged, being whipped by the boss, made brutish by rum and fanaticism, and receiving in payment for his work and his humiliation a poor salary of twenty cents, which he was compelled to spend at the plantation store.

In shops, mines, and manufacturing centres the condition of the toilers, although not so bad as in the "haciendas," was still terrible; for twelve or fourteen hours daily, poorly paid labor was exacted, without the hope of any progressive legislation at all being enacted that would secure to the laborers their emancipation as free citizens; at the mercy of their "owners," Mexican or foreigners, who, while the real producers bore the yoke of servitude and suffered starvation, drove through the brilliant streets of the City of Mexico in luxurious automobiles, and built on every corner "villas" and palaces that gave the capital of the Republic universal renown.

Public instruction, especially in the large rural districts, was entirely abandoned, because it was the dictatorial policy, in this respect, to drive the poor people to the great "haciendas," great mine and factory regions, where they could be more easily controlled by the "rurales" and the soldiers, instead of allowing them to go to school and get an education, to become real citizens deserving of such a title.

Workingmen in Mexico were killed if they attempted to unionize or to strike; the peasants were slaughtered in order to secure their property; the Yaqui Indians were deported or sold into slavery in Yucatan, so that the great landowners of the State of Sonora could sell their lands to American syndicates. Anybody who protested, orally or in writing, was thrown into jail, where imprisonment was worse than death.

And in the same way that equality of the citizens existed only in the writings and speeches of poets and orators, so religious liberty could only be found in the text of the Constitution, because the always absorbent Catholic Church imposed its power universally by means of intrigue and political bargaining.

Conditions of injustice and privilege such as these could be found at every step, making the life of the poor—white or black, Indian, or Chinese—a great deal more miserable and degraded than that of the negroes of the United States before the days of Lincoln.

Then the Revolution came, bringing as its ideals the reforms that we shall explain below, and which have all been implanted in every State controlled by the Revolutionists.

First: The dividing up of enormous estates; that is, the vast areas of land owned by the few, so as to promote the formation of small properties.

(The Revolution is opposed to the possession of the land by the few, as is the present condition. It wants everybody to have his share, so that every one shall be prosperous, as cultivation by the individual is infinitely more productive than when done on a large scale. The Revolution

wants to restore to the people the lands which were unjustly taken from them by national and foreign leaders or "bosses," backed by the dictatorships of Diaz and Huerta.)

Second: Equity in the taxing of land and real estate.

(The Revolution wants rural land owners to pay in proportion to what they have. At present the big land owner pays an insignificant tax, while the small man who cultivates his own land is taxed to the limit. With the regulation of taxes the towns will have richer municipalities, and it will be possible for the small land holders to enter into competition with the large estates. Indirectly, this will have a moralizing influence on the authorities, because the big land owners, having no privileges, will not have recourse to bribes in order to keep such privileges.

Third: (a) Creation of an all-embracing labor legislation.

The Revolution will enact laws to prevent the extortion of labor by capital, as now happens. There will be laws to regulate salaries and determine the minimum wages, laws regulating hours of work, and age limit of the laborers, in order to protect childhood in its development and old age in its decadence. Laws regulating the sanitation of the workshops in order to protect the health of the laborers, also laws regulating the manner of dealing with accidents in service in order to insure the maintenance of the laborer disabled at his work, etc.

(b) The establishment of municipal liberty as a constitutional institution.

(A free municipality is the foundation of all liberties—it is a school of democracy. Free municipalities insure the freedom of the State and also freedom of the Republic. This is one of the most important reforms of the Revolution.)

Fourth: A change in the system of the organization of the army.

(At present the army is a large armed force under the command of a single head, and it is found in all parts of the Republic. Under the former system the liberties of the States, municipalities, etc., were at a given moment at the mercy of the President of the Republic, as with Porfirio Diaz, or of the general-in-chief, as with Victoriano Huerta. The army now has a different origin, different regulation and distribution.)

Fifth: Electoral laws to guarantee the effectiveness of the franchise.

(The electoral laws now in force have been made by men whose desire is to nullify the effectiveness of the suffrage, and the people are unable to enforce their views at an election.)

Sixth: (a) Establishment of the independence of the judicial power in the Federal Government, as well as in the States.

(However often the Constitution may declare the independence of the powers of the judiciary, this independence was a delusion, in view of the fact that officials were appointed by the Executive and dependent on him, etc.)

(b) The revision of laws regarding matrimony and the civil status of individuals.

(The Revolution, whose aim it is to elevate the Mexican people by giving them perfect liberty, cannot allow matrimony, which is simply a contract, to be indissoluble, when, by the mutual consent of both consorts, it is desirable to

break it. If the will comes first, according to the laws, why should it be subordinated in a matter which plays so important a part in human happiness?)

Seventh: The reformation of judicial proceedings in order to render the administration of justice prompt and effective. The revision of the civil, criminal, and commercial codes.

(Who has not had to suffer through the criminality of the courts of justice on one hand, and also from the never-ending proceedings on the other hand? What man is there who has ever had to deal with the courts that has been free from the consciousness that he is at the mercy of all those who form part of the court, even to the stenographer who can delay the copy of a document, or the clerk who retards a notification? Up to now the administration of justice may be compared to the stage-coach, in that it moves painfully slowly, and only for money.)

Eighth: The revision of the laws relative to the exploitation of lumber, waters, petroleum, and other resources of the country, with the view of abolishing monopolies.

(Who is ignorant of the fact that the insatiable and corrupting spirit of the dictatorship absorbed everything—sometimes for the benefit of the head of the system, Porfirio Diaz; at other times to satisfy the voracious appetites of those who surround him? Who does not know that it was this policy of concessions which created the unbearable insolence of the foreigners residing among us? Therefore, everything which may tend to destroy this monopoly and humiliate this uncalled-for arrogance will be a patriotic work, and this is what the Revolution promises to achieve.)

To these reforms must be added a general reorganization of the school system in Mexico, paying especial attention to the weak spot, which is the rural school system. As a natural consequence, the conservative elements—priests, professional soldiers, men having oil and railroad concessions, rich land owners—knowing that with such reforms their odious privileges were in danger, have tried, by all means possible, to stop the progress of the Revolution, promoting discord and jealousies among its chiefs, starting reactionary movements abroad, and working hard and persistently to provoke an international war.

Before the raid on Columbus, which was planned by the filibuster of our foes, the reaction could not attain its wish to destroy the Revolution; but now, unfortunately, it looks as if the reactionaries might succeed in putting us American and Mexican workingmen face to face on the battlefield. And this is just what Mexican organized labor is anxious to avoid by making a final effort, appealing to you, our brothers in labor and misery; not taking into consideration what petty "patriots" may say about our conduct and proceedings.

We want to say, very frankly, to the American toilers, that the Mexican people do not hate the real American people, the people who still bear in their heart the principles of Washington and Franklin; we do not have any hostile sentiment of any kind against you American laborers. In the United States we hate only the monopolists, the great oil and railroad kings, all those who have utilized the riches of our land for their personal benefit; impudently stealing from us the fruits of our labor, the same as they do with you in your country: those very same compatriots of yours, whose only interests are their bank ac-

counts, and who have no love of country, honor, or high ideals of life.

Be on your guard, Workers of the United States. The Columbus raid, all the anti-Mexican agitation, all the meetings, lectures, and publications of our foes in the great American cities, are only for the purpose of drowning in blood the desires of a brother people who have had the courage and the strength to rebel against their oppressors, of giving the workers of the world an example of the only Social Revolution that honestly deserves such a name.

Be on watch, North American Comrades. Do not allow any one to fool you with the lies of those who, as long as they can make money, do not care very much about the killing of thousands of laborers. Help us to secure that, once and forever, the United States troops be recalled, avoiding the great danger that there is and must be while a khaki uniform remains in Mexican territory. And if, even by this means, it is impossible to avoid a bloody struggle, then, Workers of the United States, do as we would fain do with our reactionaries—put at the head of your army all those who are responsible for the tragedy, the magnates of the Standard Oil Company and of the International Harvester Company, William R. Hearst, Harrison Gray Otis of the Los Angeles Times, professional soldiers and others who in any form and by any means are looking for intervention in Mexico.

Workers of the United States, solidarity!

J. M. DURAN,

General Secretary Syndicate of Electricians;

CRESCENCIO FLORES DIAZ,
Carpenters' Syndicate;

NABOR FERNANDEZ,
President Seamen's Union, Port of Progreso;

PRUDENCIO GONZALEZ,
President Dockers' Union;

CRESCENCIO SANCHEZ,
General Secretary Bakers' Syndicate;

MANUEL RUIZ,
General Secretary Masons' Syndicate;

DAVID GONZALEZ,
Union of Clerks, Cooks, etc., and of Hotel, Restaurants and Similars;

ANTONIO RAMIREZ,
President Commercial Clerks' Club;

ALVARO VARGAS,
General Secretary Smelters' Syndicate;

NAZARIO PECH,
General Secretary Hackmen's Syndicate;

CLAUDIO SACRAMENTO,
President Yucatan Railroad Men's Union;

MIGUEL A. PRADO,
Syndicate of Machinists, Blacksmiths and Boiler Makers.

Mérida, Mexico, May 29, 1916.

PRESIDENT GOMPERS ISSUES CALL FOR UNITY OF LABOR IN ALL PAN-AMERICA

"To the Workers of All American Countries:

"A purpose has long been in the minds of many which has gradually been taking form and seeking an opportunity for concrete expression. Such an opportunity has been born out of the strained relations that have recently existed between the United States and Mexico and the great anxiety aroused thereby in the hearts and minds of the workers of both countries. There has come at least one result that is potential for the maintenance of human welfare in international relations.

"Just as the situation between the United States and Mexico was most critical, there came to our country two representatives of the Government of Yucatan, Mr. Carlos Loveira, Chief of the Department of Labor, and Mr. Baltazar Pages, editor of the Voice of the Revolution, bringing an appeal to the workingmen of our country to use their influence in the interest of peace and justice between our countries. At the same time, in response to an invitation from the American Federation of Labor, the organized labor movement of Mexico sent as representatives to Washington for the purpose of holding a conference, Mr. Luis N. Morones, Mr. S. Gonzalo Garcia, and Mr. Edmundo E. Martinez.

"During the recent past, through personal representatives of the Mexican Government and information gained from others in close contact with conditions in Mexico, it became plain to us that the revolution in Mexico represented the cause of humanity and democracy, and that the Constitutionalist government represented a genuine effort on the part of the Mexicans to establish institutions of freedom and justice. The American Federation of Labor made an appeal to the President of the United States to recognize the Constitutionalist government of Mexico.

"It has since on several occasions, when important decisions of national policies affecting the United States and Mexico were in the balance, been the instrumentality through which the desires of the masses of the people have been expressed, and further time and opportunity afforded to Mexico for understanding our national attitude and demonstrating good will and good faith on her part.

"Because of this historic relation, it was felt that a conference between representatives of the labor movement of Mexico and representatives of the American Federation of Labor would be a direct means by which the masses of the people of both countries could wield an influence that would counteract that of financial powers and of those who were willing to precipitate international conflicts for their own aggrandizement.

"At this conference, held in Washington, between the representatives of the Mexican labor movement and the Executive Council of the American Federation of Labor, a declaration was signed by all parties to the conference. This declaration, in addition to provisions which concerned immediate relations between our two countries, provided for future conferences between representatives of both countries and declared in favor of efforts to establish a Pan-American Federation of Labor.

"This was not a new thought for the American Federation of Labor. Upon several occasions the same idea had been advanced, and in the proceedings of the 1915 convention of the American Federation of Labor endorsement was

given to a proposal for an organization that would represent human rights and interests in all Pan-American countries. The necessity for such a labor federation has been made increasingly great through efforts to establish closer commercial and political relations between the countries included in the Pan-American Union.

"In the High Commission which recently made a trip to Pan-American countries for the purpose of promoting better commercial and industrial relations, although there was no phase in any of the relations between these different countries that did not in some way affect human interests and human welfare, there was no one on that commission who distinctively represented human interests and the rights and welfare of the masses of the people.

"I have urged upon the United States Government that this serious omission ought to be rectified, and I urge the labor movements of all Pan-American countries to bring the same matter to the attention of their respective governments. But such representation, valuable as it would be, is not sufficient to protect and promote the rights and welfare of the workers of all countries. A Pan-American Federation of Labor is not only possible, but is necessary. It will constitute a ready and fit agency for injecting into international deliberations at opportune and critical times consideration for human rights, interests, and welfare.

"In view of the importance of this purpose, it is most gratifying to find that the representatives from the State of Yucatan are to travel through the countries of Central and South America for the purpose of promoting a Pan-American Federation of Labor. The purpose of their mission has our most sympathetic and hearty co-operation. The realization of an international alliance between the labor movements of all Pan-American countries will constitute a genuine parliament of men, one of the highest purposes to which mankind has aspired.

"It is earnestly hoped that the representatives of all organized workers in Pan-America will come into it and continue correspondence with the undersigned.

"With sincere greetings, I am, fraternally yours,

(Signed) "SAMUEL GOMPERS,

"President American Federation of Labor.

"Washington, D. C., July 6, 1916."

5

APPEAL TO MEXICAN LABOR

"American Federation of Labor,

"Washington, D. C., May 23, 1916.

"Secretary, Casa del Obrero Mundial, City of Mexico:

"Dear Sir and Brother: Permit me on behalf of the American Federation of Labor to send fraternal greetings to the Casa del Obrero Mundial, to the entire labor movement of Mexico.

"The labor movement of North America has seen with what splendid courage Organized Labor in Mexico has, from the time of the Presidency of the late Francisco I. Madero, demanded and obtained recognition for the cause of labor and justice in our sister republic.

"From time to time the American Federation of Labor

has received confidential reports from delegates duly accredited by your organization and others who came to Washington in behalf of the Mexican cause. From these delegates the Executive Council of the American Federation of Labor has learned how deeply the spirit of international brotherhood has guided all your struggles in Mexico. We learned with intense interest of the historic agreement between the Casa del Obrero Mundial and the Constitutional Government, and signed on behalf of that Government by Rafael Zubaran Capmany.

"We have learned with what bravery and determination the Mexican miners in the State of Arizona organized and struck work with their brother Americans of the North, and won advancement for themselves and the cause of international solidarity.

"All these facts point to the necessity of a still closer understanding between the workers of all the Americas, particularly in this crisis in the world's history. To this end, and to propose a practical method of mutual co-opera-

tion between organized labor in Mexico and the United States, I suggest that at a date to be agreed upon, representatives from the Casa del Obrero Mundial, and as many other of the labor organizations in Mexico as possible, meet for a conference in El Paso, Texas, with representatives of the American Federation of Labor. Matters for the mutual welfare of the sister republic could then be discussed and a future co-operative policy outlined.

"With you I agree that the future peace of the world rests in the hands of the wage-earners, and this is most cogently expressed by the organized labor movement of each and all countries.

"I hope to hear from you as soon as possible as to the actual conditions of the Mexican labor movement at the present time, and to receive a reply to the suggestion I have made herein.

"Faternally yours,

"SAMUEL GOMPERS,
"President American Federation of Labor."

6 COPIES TO MEXICAN LEADERS

Copies of the invitation to a conference were inclosed by Mr. Gompers in letters to General Venustiano Carranza, First Chief; Governor Ignacio C. Enriquez, of Chihuahua; Governor P. Elias Calles, of Sonora; Governor S. Alvarado, of Yucatan; General Alvaro Obregon, Minister of War; Juan Tulo, Secretary of the Escuela Moderna, Mexico City; Dr. Atl, editor of Accion Mundial, Mexico City, and Judge Charles A. Douglas, Washington, D. C., Carranza's attorney here.

Explaining the occasion of the invitation, Mr. Gompers wrote as follows to General Carranza:

"My Dear Sir: Because of certain conditions, information of which has authentically reached me, I deem it my duty to the working people of Mexico, as well as to the people of Mexico generally, to write to the secretary of the Casa del Obrero Mundial, making certain inquiries and a suggestion for a conference. It seemed to me that a copy of my letter should be in your possession for such information as it may convey.

"The letter was prepared before I received a visit at my office today from Mr. Charles A. Douglas, your legal representative in Washington, but I read to him the letter,

of which the inclosed is a copy, and he expressed his approval of its contents and desired that it should be forwarded, and also sustained the view that a copy of the letter should be sent to you. I may add that the entire Mexican situation as it now exists, as well as the immediate outlook, was thoroughly gone into, and it may be interesting for you to know that Mr. John Murray, who is also deeply interested in the affairs of Mexico, was present at the conference I had the pleasure of having with Mr. Douglas.

"I think it is needless for me to say how thoroughly interested and concerned are my associates in the American Federation of Labor, as am I, in all that may make for the advancement and protection of the rights and interests of the masses of the workers of Mexico, and that we are hoping and will be glad to aid as far as our ability and opportunities go, in establishing higher and better standards of justice, right, freedom, and the concepts of humanity.

"With assurance of high regard, I have the honor to remain, very respectfully yours,

"SAMUEL GOMPERS,
"President American Federation of Labor."

7

THE GREAT PACT

SIGNED BY MEXICAN AND AMERICAN LABOR REPRESENTATIVES, IN WASHINGTON, D. C.

The undersigned, the Executive Council of the American Federation of Labor and the representatives of the organized labor movement of Mexico, express our deep gratification in the consummation of this conference, which we hope and believe has laid the basis for better understanding and has welded ties that shall bind together the workers of our respective countries.

We are confident that personal conferences of the workers of the United States and of Mexico will be a constructive force in bringing about that understanding necessary for better relations between our countries and for maintaining peace founded upon a proper regard for the rights of all. It is our opinion that this conference should be purpose of agreeing upon plans for maintaining permanent followed by another more generally representative, for the

relations and for the federation of the labor movements of all the countries of the two Americas.

In view of present relations between the United States and Mexico, we are of the opinion that such a general conference is for the present untimely, and we express the judgment that the holding of such a conference should be deferred until later in the year. However, in the event of an emergency which would make a general conference of advantage in averting an international crisis, such a conference could and should be called for the earliest time mutually agreeable. To carry this plan into effect a joint commission shall be chosen, to consist of two members from both labor movements, to remain in Washington until the present crisis is passed, the said commission to have the power of calling a general conference if necessary.

We hold this to be fundamental—no relations between our countries can be permanent that are not based upon the will of the masses of the people and in accord with their concepts of justice.

We deem it an essential step toward democracy and justice that there shall be established for the masses, who have hitherto been without regular agencies for expressing their views and desires, opportunities that will enable them to have a voice in helping to determine international affairs.

The labor movements of the various countries constitute the instrumentalities that can best accomplish this purpose and give expression to national ideas and convictions that have been too long inarticulate and impotent.

We direct that the president of the American Federation of Labor and the official representatives of organized labor in Mexico should keep in touch through correspondence and that they be authorized to carry out the purposes specified in this declaration.

In joint conference as the representatives of the workers, the masses of our respective countries, we urge upon our governments to adjust existing differences without war and to establish conditions conducive to permanent peace, with justice.

We appeal to the workers and all of the people of the United States and Mexico to do everything within their power to promote correct understanding of purposes and actions, to prevent friction, to encourage good will, and to promote an intelligent national opinion that ultimately shall direct relations between our countries and shall be a potent humanitarian force in promoting world progress.

It is an unavoidable conclusion that present differences between our countries are the result of misunderstanding growing out of inadequate or incorrect information; that the unfortunate consequences of past relations between the United States and Mexico have formulated a national attitude that questions the good faith of our governments; that existing agencies and methods of reaching an adjustment of these differences are unsuitable for dealing with these problems, which are fundamentally human problems, and that the relations between our countries ought not to

be directed in accord with abstract standards of justice, but ought to be keenly sensitive and responsive to the human interests and moral forces. Therefore, we, the representatives of the organized workers, having the right to speak for all of the workers, and in the interests of all of the people, urge upon our governments the appointment of a commission to be composed of high-minded citizens, fully representative of our nations, to consider differences that have brought our nations to the verge of war, and to make such recommendations for adjustment as shall fittingly express the highest ideals of the great rank and file of the citizenship of our two countries.

We direct that copies of this declaration shall be presented to the President of the United States, Hon. Woodrow Wilson, and to the First Chief of the Constitutionalist Government of Mexico, Gen. Venustiano Carranza, and that it be given widest publicity among the workers of our respective countries.

For the organized workers of the United States:

SAMUEL GOMPERS, President;
JAMES DUNCAN, First Vice-President;
JAMES O'CONNELL, Second Vice-President;
D. A. HAYES, Third Vice-President;
JOSEPH F. VALENTINE, Fourth Vice-President;
JOHN R. ALPENE, Fifth Vice-President;
H. B. PERHAM, Sixth Vice-President;
FRANK DUFFY, Seventh Vice-President;
WILLIAM GREEN, Eighth Vice-President;
JOHN B. LENNON, Treasurer;
FRANK MORRISON, Secretary.

For the organized workers of Mexico:

C. LOVEIRA,
L. M. MORONES,
S. GONZALO GARCIA,
BALTAZAR PAGES,
EDMUND E. MARTINEZ.

